

Appl. No. 10/776,854
Docket No. 9526
Amdt. dated April 18, 2007
Reply to Office Action mailed on January 18, 2007
Customer No. 27752

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REMARKS

Claim Status

Claims 1 - 4 and 6 - 8 are pending in the present application. Claim 1 has been amended to further clarify the present invention. Support for the amendment is found at page 2, lines 15-16 and page 3, lines 21-22 of the specification. Claim 5 has been canceled. New Claims 6 - 8 have been added. Support for Claim 6 can be found on page 3, lines 12, 13, 17 and 18. Support for Claims 7 and 8 is found in US Patent Application Serial No. 10/713,460 which has been incorporated by reference on page 4, line 4 of the current specification. It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

Rejection Under 35 USC §102 Over Bristol

Examiner rejected claims 1-2, 4-5 over Bristol. Amendments have been made to Claim 1 to further define that the carrying case comprises a first opening and second opening for ventilation. The second opening for ventilation is not disclosed in Bristol. The remaining rejected claims depend on Claim 1 and, as such, Applicants request removal of this rejection.

Rejection Under 35 USC §103(a) Over Bristol in view of Lee

Claim 3 has been rejected under 35 USC §103(a) as being unpatentable over Bristol in view of Lee. Applicants respectfully traverse the rejection as applied to the Claim 3 which depends upon amended Claim 1.

Bristol, alone, and in combination with Lee, does not teach or suggest Claim 3. MPEP §2143.01 states, if proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. In re Gordon, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984). MPEP §2143.01 further states if the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious. In re Ratti, 270 F.2d 810, 123 USPQ 349 (CCPA 1959).

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At best, Bristor discloses a caddy for receiving hot water and containing cleaning supplies and a spray gun. The spray gun is connected to the caddy for dispensing the cleaning supply compositions and hot water from the caddy. Bristor repeatedly stresses that its invention preserves a user's energy. Specifically, Bristor accomplishes this by having the caddy near the user and on the cleaning site (see e.g. Figs 8 and 9; and col. 12, lines 12-13) rather than near the hot water machine (see Figs 2. and 3). As such, it would be counterintuitive to include openings for ventilation or draining water as claimed in amended Claim 1, such that fluid could leak out of the Bristor caddy and wet the cleaning site. The combination of Lee with Bristor also does not teach or suggest the present invention because Lee, at best, adds an automobile wash mitt to the Bristor's caddy.

Applicants submit that Bristor, alone or in combination with Lee, also does not teach or suggest the elements of new independent Claim 7. Bristor claims that another way to preserve a user's energy is by implementing a caddy which contains the cleaning supplies and is separate from the spray gun so the user does not have to carry the chemicals (see e.g. col. 6, lines 41-43; and col. 12, lines 33-34). Accordingly, it would be counterintuitive to add a compartment in the spray gun as claimed in Claim 7 of the present invention. Again, Lee does not add anything to Bristor that would suggest adding a compartment to the Bristor spray gun.

Because the elements of the amended claims would render the teachings of Bristor, alone, or in combination with Lee unsatisfactory for the purposes therein, Applicants believe the above amendments to the claim overcome the obviousness rejection.

With regard to all claims not specifically mentioned, these are believed to be allowable not only in view of their dependency on their respective base claims and any intervening claims, but also for the totality of features recited therein.

Conclusion

This response represents an earnest effort to place the present application in proper form and to distinguish the invention as claimed from the applied reference(s). All claims are believed to be in condition for allowance. Should the Examiner disagree,

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Applicants respectfully invite the Examiner to contact the undersigned attorney for Applicants to arrange for a telephonic interview in an effort to expedite the prosecution of this case.

Respectfully submitted,

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